



DAC  
EPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.	10/791,159
Filing Date	March 1, 2004
Inventor	Randy D. Sines
Group Art Unit	3711
Examiner	Raleigh W. Chiu
Attorney Docket No.	FL12-057
Drop Zone Gaming Machine With Varying Symbol Scoring Zones and Automatic Bias Prevention	

**PETITION TO ACCEPT UNINTENTIONALLY  
DELAYED BENEFIT CLAIM UNDER 35 U.S.C. 120**

To: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Randy A. Gregory  
Gregory I.P. Law  
PTO Customer No. 39279  
P. O. Box 31090  
Spokane, WA 99223-3018

Telephone: 509-245-3033  
Telefax: 509/245/3833  
Email: RandyGregory@direcway.com

This is a Petition to the Commissioner of Patents to Accept Unintentionally Delayed Benefit Claim Under 35 U.S.C. 120. This Petition includes: (1) The reference required by 35 USC 120; (2) The surcharge set forth in § 1.17 (t); and (3) A statement that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of § 1.78 and the date of the claim was filed was unintentional.

11/21/2005 NNGUYEN1 00000008 10791159

01 FC:1454

1370.00 OP

The PTO did not receive the following  
listed item(s) \$ 1,370.00  
But \$ 1,375.00

**1. REFERENCE REQUIRED BY 35 USC 120**

To be added as a first sentence to the specification following the title as a separate paragraph as follows:

**"REFERENCE TO RELATED APPLICATIONS**

This application is a continuation-in-part of prior U.S. patent application Serial Number 10/704,525 filed November 4, 2003, now Pat. No. 6,896,259; which is a continuation of application Serial Number 10/198,431, filed on July 16, 2002, now Pat. No. 6,641,137; which is a continuation of application Serial Number 09/813,513, filed on March 20, 2001, now Pat. No. 6,419,225; which is a continuation of application Serial Number 09/128,960, filed on August 4, 1998, now Pat. No. 6,203,009; which is a continuation-in-part of application Serial Number 08/649,821, filed on May 17, 1996, now Pat. No. 5,788,230. Priority under 35 U.S.C. § 120 is claimed with regard to said prior applications."

**2. THE SURCHARGE**

Enclosed herewith is payment made in the amount of \$1370.00 as required by § 1.17 (t) for "Acceptance of an unintentionally delayed claim for priority".

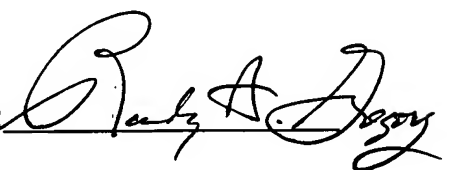
3. **STATEMENT THE ENTIRE DELAY UNINTENTIONAL**

I, Randy A. Gregory, attorney of record hereby state that the entire delay between the date the above claim of priority was due under paragraph (a)(2)(ii) of 37 CFR 1.78 and the date the claim was filed was unintentional.

**Declaration**

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom, declares that all statements made on the basis of knowledge are true; and all statements made on the basis of information and belief are believed to be true. The undersigned is authorized to execute this document.

Date: Nov. 16, 2005

Signature: 

Name: Randy A. Gregory

Title: Attorney of Record  
Reg. No. 30,386

## REMARKS

Despite applicant's belief that the Office recognized its priority claim and a petition and surcharge are not required to correct its priority claim, this Petition To Accept Unintentionally Delayed Benefit Claim has been filed with the Commissioner for Patents because of uncertainty about how the Office treats a situation such as this.

The priority claim was acknowledged both in the Filing Receipt and in the Patent Application Publication (which was published prior to the normal 18 month period). However, the information related to the priority claim was not specifically presented in a single reference. The priority claim was in-part in the Utility Patent Application Transmittal letter (Attachment 1 hereto), and in-part in the referenced co-pending application, now Patent Number 6,896,259 (Attachment 2.1 and 2.2 hereto).

Applicant files this petition as a secondary precaution even though it is not believed necessary. The portion of the above amendment which relates to the complete list of prior applications which are expressly referenced in Application No. 10/704,525 (now Pat. No. 6,896,259).

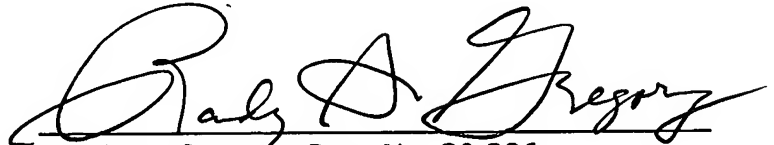
It is clear that the reference to Application No. 10/704,525 is correctable without a petition or surcharge by amendment of the specification. It is believed that the remainder of the continuity chain may be corrected without a petition and the payment of the surcharge. Out of an abundance of caution, and though it should not be required, this Petition has been filed and the surcharge has been paid related to the portion of the continuity chain referenced in Application No. 10/704,525 (now Pat. No. 6,896,259).

Given the corrected priority claim presented, payment of the surcharge fee, and the statement of unintentional delay, approval of this Petition is requested.

Respectfully Submitted,

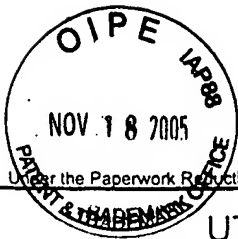
Date:

Nov. 16, 2005

A handwritten signature in black ink, appearing to read "Randy A. Gregory", written over a horizontal line.

Randy A. Gregory, Reg. No. 30,386

Enclosures: Check for the Surcharge set forth in § 1.17(t)  
Attachment 1 - Utility Patent Application Transmittal letter  
Attachment 2.1 - Application No. 10/704,525 - First Paragraph of  
Specification  
Attachment 2.2 - U.S. Pat. No. 6,896,259 - Cover Page



PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	FL12-057
	First Inventor	Randy D. Sines
	Title	Drop Gaming Machine with Varying Symbol Scoring...
	Express Mail Label No.	<b>EU964150634</b>

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
---	---

- |  |  |
|--|--|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br/>(Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status.<br/>See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>36</u>]<br/>(preferred arrangement set forth below)<br/>- Descriptive title of the invention<br/>- Cross Reference to Related Applications<br/>- Statement Regarding Fed sponsored R &amp; D<br/>- Reference to sequence listing, a table, or a computer program listing appendix<br/>- Background of the Invention<br/>- Brief Summary of the Invention<br/>- Brief Description of the Drawings (if filed)<br/>- Detailed Description<br/>- Claim(s)<br/>- Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>6</u>]</p> <p>5. Oath or Declaration [Total Sheets <u>2</u>]<br/>a. <input checked="" type="checkbox"/> Newly executed (original or copy)<br/>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 18 completed)<br/>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)<br/>a. <input type="checkbox"/> Computer Reader Form (CRF)<br/>b. Specification Sequence Listing on:<br/>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br/>ii. <input type="checkbox"/> Paper<br/>c. <input type="checkbox"/> Statements verifying identity of above copies</p> |
|--|--|

**ACCOMPANYING APPLICATION PARTS**

- |   |  |
|---|--|
| 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))  |  |
| 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)   | <input type="checkbox"/> Power of Attorney       |
| 11. <input type="checkbox"/> English Translation Document (if applicable)   |  |
| 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449  | <input type="checkbox"/> Copies of IDS Citations |
| 13. <input type="checkbox"/> Preliminary Amendment  |  |
| 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)                                  |  |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)  |  |
| 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |  |
| 17. <input checked="" type="checkbox"/> Other: <u>check # 3179 for \$425</u>  |  |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation    ☐ Divisional    ☒ Continuation-in-part (CIP)    of prior application No.: 10/704,525

Prior application information:

Examiner UnknownArt Unit: 3711

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

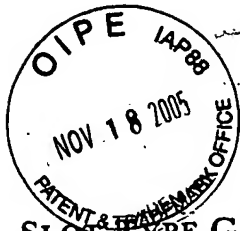
**19. CORRESPONDENCE ADDRESS.**

☒ Customer Number: 39279    OR    ☐ Correspondence address below

Name	Randy A. Gregory				
Address	Gregory Law Office				
	P. O. Box 31090				
City	Spokane	State	WA	Zip Code	99223-3018
Country	USA	Telephone	509/245-3178	Fax	509/245-3159
Name (Print/Type)	Randy A. Gregory	Registration No. (Attorney/Agent)	30,386		
Signature				Date	3-1-04

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**SLOT-TYPE GAMING MACHINE WITH VARIABLE DROP ZONE SYMBOLS****CROSS-REFERENCE TO RELATED APPLICATIONS**

This is a continuation-in-part of co-pending prior U.S. Patent Application Serial No. 08/649,821 filed May 17, 1996 (U.S. Patent No. 5,788,230 issued August 4, 1998). Priority under 35 U.S.C. § 120 is claimed with regard to said prior application. Said prior application is also incorporated by reference hereinto in its entirety.

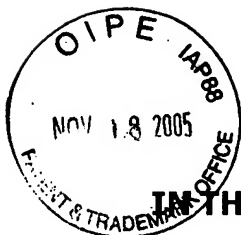
**TECHNICAL FIELD**

The field of this invention is slot-type gaming machines having a drop zone portion which has one or more dropping balls or other dropping objects which can be received at different positions to affect the action and probabilities associated with winning and playing the game.

**BACKGROUND OF THE INVENTION**

Slot machines have been a dominant part of the gaming industry world wide for over 50 years. While pachinko machines have seen a great deal of popularity in Asia, they are not as well suited for gaming as the traditional slot machine.

Slot machines have changed very little over the years. Whether mechanical or electronic, they still have reels spinning and coming to stop on a potential jackpot. It appears that a large part of the appeal of slot machines is the "mechanical" nature of the spinning reels which induces a belief in players that they are witnesses to a truly random event and that the "big" jackpot is always just around the corner. While the big jackpot



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No.	10/791,159
Filing Date	March 1, 2004
Inventor	Randy D. Sines
Group Art Unit	3711
Examiner	Raleigh W. Chiu
Attorney Docket No.	FL12-057
Drop Zone Gaming Machine With Varying Symbol Scoring Zones and Automatic Bias Prevention	

**TRANSMITTAL LETTER AND CERTIFICATE OF MAILING**

To: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Randy A. Gregory  
Gregory I.P. Law  
PTO Customer No. 39279  
P. O. Box 31090  
Spokane, WA 99223-3018  
Telephone 509/245-3033  
Telefax 509/245-3833

Enclosed are:

1. PTO Return Postcard Receipt
2. Transmittal Letter and Certificate of Mailing
3. Petition to Accept Unintentionally Delayed Benefit Claim Under 35 U.S.C. 120 with attachments
4. Check for \$1375.00 for petition fee

☒ Small Entity Status is claimed.

☐ Large Entity Status Applies.

**Authorization Re: Deposit Account:** The undersigned hereby authorizes the Patent and Trademark Office to charge Deposit Account 502881 for any fees or to credit any overpayments in connection with this application and the papers being filed herewith.

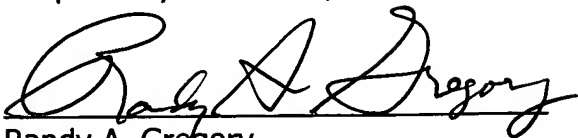
Repln. Ref: 11/21/2005 NNGUYEN1 0008160300  
DAH:502881 Name/Number:10791159  
FC: 9204 \$5.00 CR

S:\FL12\057\FL12-057-TK4.frm



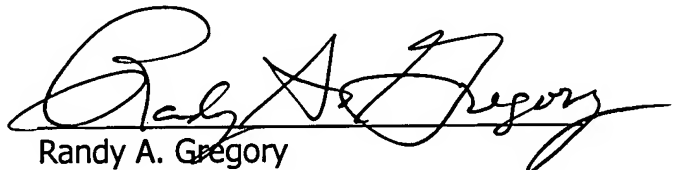
Respectfully submitted,

Date: Nov. 16, 2005

By:   
Randy A. Gregory  
Reg. No. 30,386  
Attorney/Agent for Applicant

**CERTIFICATE OF MAILING**

I hereby certify the items listed above as enclosed are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below-indicated date.

Dated: Nov. 16, 2005 Signature:   
Name: Randy A. Gregory